UNITED
NATIONS

ST

Secretariat

ST/AI/391
21 January 1994

ADMINISTRATIVE INSTRUCTION

To: Members of the staff

From: The Director of Personnel

Subject: MATERNITY LEAVE*

1. The present administrative instruction cancels and replaces ST/AI/385 of 14 July 1993. Its purpose is to clarify the administration of maternity leave, the basic provisions of which are set out in staff rule 106.3. Administrative instruction ST/AI/219/Rev.2 and personnel directive PD/1/88 are hereby superseded. Personnel directive PD/4/77/Add.2 remains in force.

2. A staff member on active duty status under the 100 and 200 series of staff rules shall be entitled to maternity leave with full pay for a total period of 16 weeks, comprising a pre-delivery period and a post-delivery period. Pre-delivery leave will commence six weeks before the anticipated date of delivery on the basis of a certificate from a duly qualified medical practitioner or midwife indicating the probable date of delivery. However, at the staff member's request, and upon production of a medical certificate acceptable to and approved by the Medical Service, a shorter period of pre-delivery leave, normally not less than two weeks, may be granted.

3. If the staff member so requests, and upon submission of a medical certificate indicating that she is fit to work, she may be permitted to work part time for the period between the sixth and second week preceding the expected date of delivery. During the period of part-time work, half-days will be charged to the staff member's maternity leave entitlement, so that in this way every two days of part-time work will count as one full day of pre-delivery maternity leave. Staff members who choose to work part time for this period will not be granted sick leave for any problem associated with the pregnancy.

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* Personnel Manual index No. 6050.

4. If less than six weeks of pre-delivery leave is approved, or if the staff member is authorized to work part time and it subsequently becomes apparent that she is not physically fit to continue to work, the executive or administrative officer shall seek the advice of the Medical Service, which may require her to commence her maternity leave at once.

5. Post-delivery leave shall extend for a period equivalent to the difference between 16 weeks and the actual period of leave taken before the birth, subject to a minimum of 10 weeks. However, the staff member, upon request, may be permitted to return to work after a minimum of six weeks following delivery. If, owing to a miscalculation on the part of the medical practitioner as to the date of the delivery, the pre-delivery leave was more than 6 weeks, the staff member will be allowed the minimum of 10 weeks of post-delivery leave from the date of birth as evidenced by the birth certificate.

6. No sick leave will be granted during maternity leave. Annual leave will accrue but will not be credited until the staff member has completed six months on active duty status following completion of maternity leave. Periods of annual, special or sick leave taken immediately after maternity leave shall not count towards the completion of the six months on active duty status.

7. The Medical Service is responsible for determining physical fitness to work in cases of pregnancy. Any question or doubt as to the validity of a medical certificate should be referred to the Medical Service for a decision.

Extension of fixed-term appointments to cover maternity leave

8. Pregnant staff members on fixed-term appointments should be considered for extension of their service under the same criteria as other staff. When consideration is being given as to whether an appointment is to be extended or converted to another type of appointment, the fact that a staff member is or will be on maternity leave should not be a factor in that consideration. If, on the basis of other considerations, a decision is made not to offer a new fixed-term appointment and the current appointment is due to expire during the period of maternity leave, the appointment will be extended to cover the full duration of the leave. This policy does not apply in cases where the fixed-term appointment expires more than six weeks before the anticipated date of delivery.

9. When an appointment is extended solely to enable a staff member to utilize her maternity leave entitlement, no credit towards salary increment, annual leave, sick leave or home leave accrues, but credit towards the repatriation grant may continue to accrue, provided the staff member has not returned to her home country. In the event of death during the period of the extension, the period prior to the staff member's death may be taken into account in the determination of the death benefit provided under staff rule 109.10 (a) (vi) or 209.11 (a) (v).